

RESOLUTION NO. 89-76

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AMENDING RESOLUTION 88-33 AND EXCLUDING CERTAIN LAND FROM THE BIRD SANCTUARY IN THE NORTHWEST PORTION OF ST. JOHNS COUNTY CREATED BY SAID RESOLUTION.

WHEREAS, the Board of County Commissioners of St. Johns County on February 9, 1988 adopted Resolution #88-33 establishing a bird sanctuary in the northwest portion of St. Johns County, commonly known as the Switzerland Bird Sanctuary; and

WHEREAS, the boundaries of the bird sanctuary includes certain land owned by Mr. G. Dudley Bowman; and

WHEREAS, Mr. G. Dudley Bowman has requested that his twenty-nine (29) acre parcel be excluded from the said bird sanctuary, and

WHEREAS, the Florida Game and Fresh Water Fish Commission does not oppose Mr. Bowman's request

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida as follows:

Section 1. St. Johns County Resolution No. 88-33 is amended to exclude the following described property from the bird sanctuary created by Resolution No. 88-33.

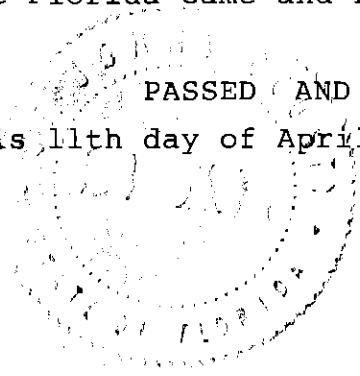
(See attached Exhibit "A" and "B")

Section 2. St. Johns County requests the Florida Game and Fresh Water Fish Commission to exclude the following property from the boundaries of the Bird Sanctuary created by Resolution No. 88-33:

(See attached Exhibit "A" and "B")

Section 3. This Resolution shall be forwarded by the Clerk to the Florida Game and Fresh Water Fish Commission for consideration.

PASSED AND ADOPTED by the Board of County Commissioners this 11th day of April, 1989.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

A handwritten signature in cursive script, appearing to read "Gary Walker", written over a horizontal line.

Its Chairman

ATTEST: CARL "Bud" MARKEL, CLERK

A handwritten signature in cursive script, appearing to read "Rosemary Jones", written over a horizontal line.

Deputy Clerk

EXHIBIT "A"

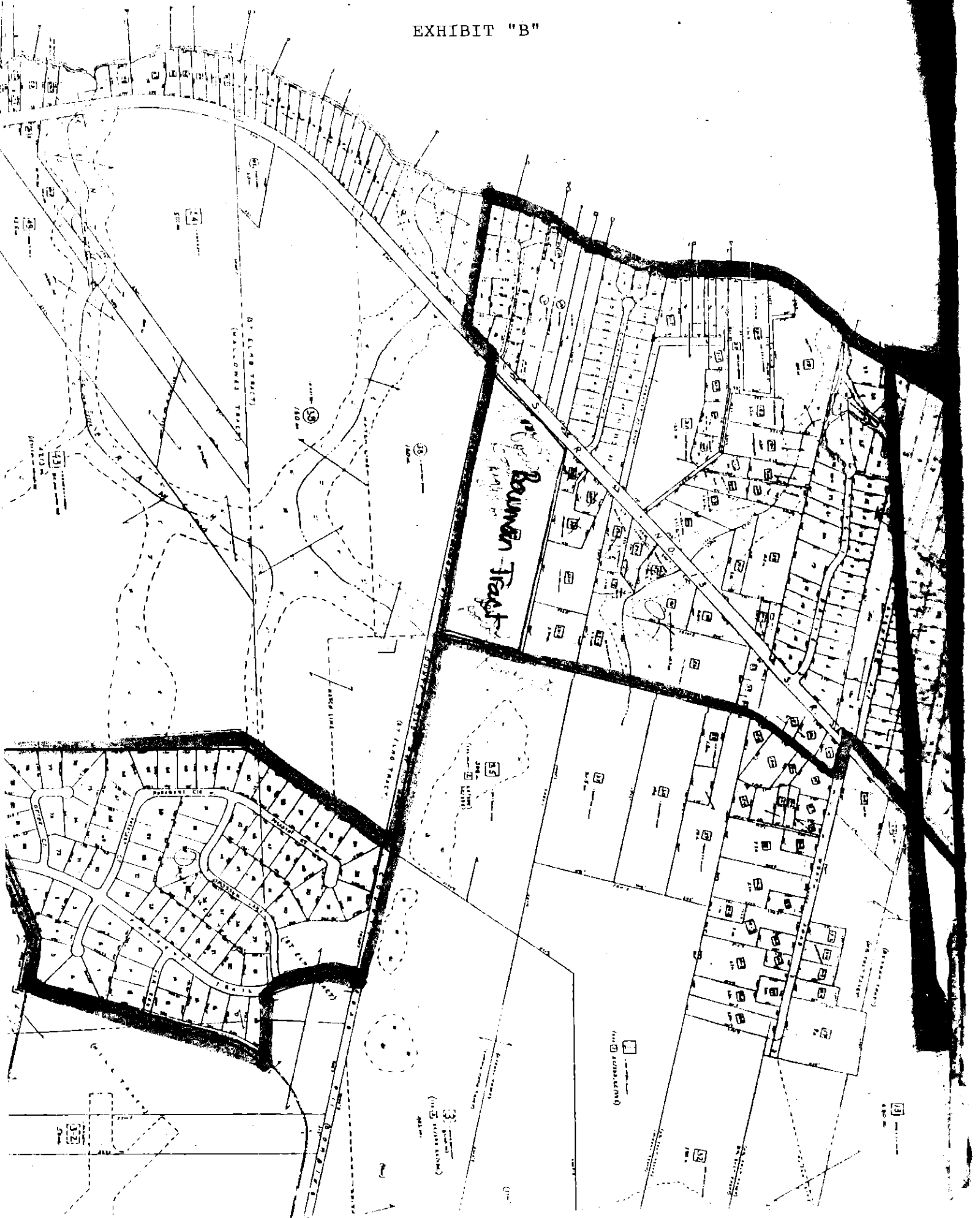
THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, TO-WIT:

That certain tract or parcel of land being a portion of the Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, and being a portion of the Sophia T. Fatio Tract as shown in Deed Book 3, page 598 of the Public Records of said County and being more particularly described as beginning at the intersection of the Southeasterly right of way line of State Road 13, (a 100-foot right of way) with the Northerly right of way line of Airport Road (a 66 foot right of way); thence North 49 25' East along the Southeasterly right of way line of said State Road 13, 821.55 feet; thence South 75 30' East, parallel to the Northerly line of said Sophia T. Fatio Tract, 1,622.1 feet to the Westerly right of way line of the Remington Park Road (a 30-foot right of way), said point being 423.5 feet Southerly of the Northerly boundary of said Sophia T. Fatio Tract; thence South 16 12' West along the Westerly right of way line of said Remington Park Road, 682.49 feet to the Northerly right of way line of said Airport Road; thence North 75 15'50" West along said right of way line, 2,072.12 feet to the Point of Beginning.

June 7, 1983

G. Dudley Bowman
G. Dudley Bowman, unmarried

EXHIBIT "B"



RESOLUTION 88-33

A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
RESCINDING RESOLUTION 87-249 AND
REESTABLISHING A BIRD SANCTUARY IN A NORTHWEST
PORTION OF ST. JOHNS COUNTY, FLORIDA

WHEREAS, Chapter 39-19 of the Florida Administrative Code provides that the Florida Game and Fresh Water Fish Commission may establish bird sanctuaries for the protection of all birds and other wildlife within any established residential area upon the written request of a County; and

WHEREAS, St. Johns County, Florida resolution 87-249 establishing a bird sanctuary contained an incorrect description of the sanctuary boundaries

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

Section 1. St. Johns County resolution 87-249 is rescinded.

Section 2. The Board of County Commissioners of St. Johns County, Florida finds and determines that it is in the best interests of St. Johns County that birds and other wildlife be protected within the following unincorporated established residential areas within the County:

(Name and describe boundaries of areas to be protected)

(See attached Schedule "A")

Section 3. The Board of County Commissioners of St. Johns County, Florida, hereby requests the Game and Fresh Water Fish Commission of the State of Florida to establish a Bird Sanctuary in the following described unincorporated established residential areas of St. Johns County, Florida:

(Name and describe boundaries of areas to be protected)

(See attached Schedule "A")

Section 4. The County agrees to assume the responsibility for enforcement within the sanctuary areas of all regulations of the Game and Fresh Water Fish Commission applying to the protection of all birds, including the posting or other necessary notice of the sanctuary status to the public. The County further agrees to instruct its law enforcement officers to enforce said regulations within the sanctuary area.

Section 5. This resolution shall be forwarded by the Clerk to the Game and Fresh Water Fish Commission for its consideration.

ADOPTED this 9th day of February, 1988.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Lawrence O. Hartley
Its Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: [Signature]
Deputy Clerk

BOUNDARY DESCRIPTION for BIRD SANCTUARY - Communities of Julington Creek, Fruit Cove, and Switzerland, described as follows:

Begin at the intersection of Julington Creek Unit #6, Map Book 17 page 22, and the south line of Durbin Creek.

Thence west along the water line of Durbin and Julington Creek to the center line of SR-#13.

Thence southwest along the waters of the St. Johns River to the southwest corner of The River Place Subdivision, Map Book 13 page 64.

Thence east along the south line of The River Place Subdivision to the west right-of-way of SR-#13.

Thence east 100 feet to the east right-of-way of SR-#13.

Thence northeast along east right-of-way of SR-#13 to the south right-of-way of Bombing Range Road (County Road #11).

Thence east along the south right-of-way of Bombing Range Road to the northwest corner of Greenbriar Subdivision, Map Book 14 page 58 referred to as point "A".

Thence traverse the subdivision first southwest; thence south; thence northeast; thence southeast; thence northeast; thence west; thence northwest; thence northwest along south right-of-way of Bombing Range Road back to point "A".

Thence northwest along north right-of-way to the east right-of-way of Remington Road.

Thence north along right-of-way of Remington Road to the south right-of-way of Worth Road.

Thence north 60' to the north right-of-way of Worth Road.

Thence northwest along the north right-of-way of Worth Road to the east right-of-way of State Road #13.

Thence northeast along the east right-of-way of State Road #13 to the north line of Dunham Tract being the south line of the Fire Station.

Thence east along the north line of Dunham Tract to the south right-of-way of Whispering Pines Road.

Thence northwest along the southwest right-of-way of Whispering Pines Road to the west right-of-way of Orange Cove Road.

Thence northeast along the west right-of-way of Orange Cove Road to the south right-of-way of Scott Road.

Thence northeast 60' to the north right-of-way of Scott Road.

Thence southeast to the south right-of-way of Borrow Pit Road.

Thence northeast along the south right-of-way of Borrow Pit Road to the north right-of-way of Roberts Road.

Thence southeast to the intersection of the north right-of-way of Roberts Road and the east line of Section 42.

Thence northeast along the Section line to the southeast corner of Fruit Cove Woods, Map Book 13 page 96.

Thence north along the subdivision lines to the center line of Cunningham Creek.

Thence west along the center line of Cunningham Creek to the east right-of-way of SR-#13.

Thence north along the east right-of-way of SR-#13 to the south right-of-way of Davis Pond Boulevard.

Thence northeast along the south right-of-way of Davis Pond Boulevard to the southwest right-of-way of Durbin Boulevard.

Thence along the southwest right-of-way of Durbin Boulevard to the east right-of-way of Teaberry Road in Julington Creek Unit 5, Map Book 17 page 1.

Thence northeast along the east right-of-way of Teaberry Road to the west right-of-way of Lockwood Loop.

Thence northwest to the southeast corner of the lands owned by St. Johns County School Board.

Thence along the east line of the lands owned by St. Johns County School Board to the north right-of-way of Race Track Road.

Thence northwest along the center line of Flora Branch Creek to the north right-of-way of Bishop Estates Road.

Thence southeast along the north right-of-way of Bishop Estates Road to the southwest corner of Julington Creek Unit #6.

Thence north to the northwest corner of Julington Creek Unit #6 and the point of beginning.

EXCEPTING THEREOF:

See Page A

Continued on next page.

1) North of Race Track Road to Bishop Estates Road, and west from Flora Branch to the western boundary of Julington Creek subdivision (approximately 440 acres), 2) west of State Route 13 between Cunningham Creek and Mill Creek (approximately 135 acres), 3) east of State Route 13 between Roberts Road and Fruit Cove subdivision (approximately 188 acres), 4) west of State Route 13 between Century Acres lane and Westwood subdivision (approximately 114 acres), and 5) west of State Route 13 and south from Swiss Oaks subdivision to Golden Pond subdivision and Eventide Avenue (approximately 72 acres)